

### **REMARKS**

The Office Action dated March 8, 2002, has been carefully considered. Claims 5-11, 17 and 18 directed to unelected species of Fig. 3 have been cancelled. Applicants reserve the right to file a divisional application directed to the unelected claims. Claims 1, 16, 19 and 20 have been amended. Claims 1-4, 12-16, 19 and 20 are in this application.

Claims 19 and 20 were rejected as being of improper independent form. Claims 19 and 20 have been amended to depend from claim 16 to obviate the Examiner's objection.

Claims 1 and 16 have been amended to more clearly recite features of the present invention. Support for this amendment is found throughout the specification and in particular on page 11, line 1 through page 12, line 4. No new matter has been entered.

The drawings were objected to as not showing the feather washer. Applicants submit that the feather washer is shown in Fig. 6 as reference numeral 156 and is described on page 11, lines 19-23.

The drawings were objected to as not showing reference numeral 140a and 132. Applicants submit a drawing correction of Fig. 5 marked up in red including reference numeral 140a. Applicants could not find reference numeral 132 in the specification. Applicants request the Examiner provide a further specification of the objection.

Claims 1, 2, 4 and 16 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 627,227 to Fenton. Applicants submit that the teachings of this reference do not disclose or suggest the invention defined by the present claims.

The present invention relates to a safety handlebar for absorbing impact of the rider with a handlebar and dampening displacement of the handlebar to its return position. As described on page 2, lines 2-10 of the application, one particular form of accident is caused by a rapid shift in momentum when the bicycle comes in contact with a changing surface such as from sidewalk to grass. The transition stops the bicycle and rotates the front wheel and handlebars. The rider falls onto the handlebar with the handlebar in contact with their abdomen. The present invention absorbs the impact of the rider with

the handlebar and also prevents the handlebar from springing back into the abdomen after impact.

Fenton discloses a bicycle handlebar to neutralize the jar and vibration conveyed to the rider when riding over rough surfaces. The bicycle handlebar includes two springs (G, H) with each bearing against a nut. If a jar or vibration of the bicycle throws the rider forward, his grasp of the handle will cause it to be pushed and this movement takes place against the outward or opposite tension exerted by the spring H. Spring H will bring the parts into normal position again when the pressure from the rider's grasp is removed. If a jar or vibration of the bicycle throws the wheel forward and pulls on the rider's grasp, the grasping-handle will then slide backward and this movement takes place against the opposite tension exerted by the back spring G. Spring G will bring the parts again into normal position when the rider's grasp or pull on the handle is released.

In contrast to the invention defined by the present claims, Fenton does not teach or suggest a safety handlebar including a bias member and a dampener in which upon impact force with the frame the bias member compresses and after the impact force is released the dampener slows the return speed of the bias-member towards its pre-impact position. To the contrary, Fenton teaches opposing springs G and H for springing the parts back to the normal position when the rider's grasp is released. However, there is no teaching or suggestion in Fenton that a dampener is used to dampen displacement of the shaft away from the frame.

Applicants note that Fenton is directed to bicycles of the late 1800's which handlebars typically projected toward the back of the bicycle toward the rider. Accordingly, rotation of the Fenton handlebars would help the rider by moving the blunt end away from the abdomen prior to impact. In contrast, current handlebars and the handlebar of the present invention can project perpendicular to the bicycle, as shown in Fig. 2. The rotation of the perpendicular handlebar puts them in direct contact with the abdomen. Accordingly, there is no teaching or suggestion in Fenton that the handlebar is a safety handlebar. Rather, Fenton teaches a handlebar design which slides back and forth solely to absorb energy and cushion bumps while riding, but does not teach or suggest preventing blunt force injuries by including a dampener to slow the return speed

of the bias member towards its pre-impact position. Accordingly, the invention defined by the present claims is not anticipated by Fenton.

Claims 3 and 5 were rejected under 35 U.S.C. §103 as obvious in view of Fenton in combination with U.S. Patent No. 5,934,154 to Noel.

Noel teaches a handgrip with a protective cap. The protective end cap is attached to a non-hollow rigid support member. The non-hollow rigid support member is attached to a tubular member of the equipment. In contrast to the invention defined by the present claims, Noel does not teach or suggest a safety handlebar including a bias member and a dampener in which the bias member compresses upon impact force with the frame and the dampener slows the return speed of bias member and the shaft to the pre-impact position. Accordingly, Noel does not cure the deficiencies of Fenton noted above. The invention defined by the present claims is not obvious in view of Fenton in combination with Noel since neither reference teaches a safety handlebar including a bias member and a dampener associated with a frame.

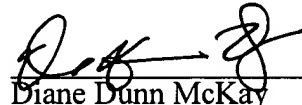
Claims 12-14, 19 and 20 were rejected under 35 U.S.C. §103 as obvious in view of Fenton in combination with Johnson.

Johnson discloses a shock absorbing bicycle seat. A piston assembly 71 is used to absorb high impact forces. The piston assembly includes metal washers 73, 74 and flexible washer 76. As the bicycle seat is moved down and up under the influence of the weight of the rider, the flexible piston compresses and decompresses the air beneath it for cushioning the impact force.

In contrast to the invention defined by the present claims, Johnson does not teach or suggest a safety handlebar including a bias member and a dampener in which the bias member compresses upon impact force with the frame and the dampener slows the return speed of bias member and the shaft to the pre-impact position. Accordingly, Johnson does not cure the deficiencies of Fenton noted above. The invention defined by the present claims is not obvious in view of Fenton in combination with Johnson since neither reference teaches a safety handlebar including a bias member and a dampener associated with a frame.

In view of the foregoing, Applicants submit that all pending claims are in condition for allowance and requests that all claims be allowed. The Examiner is invited to contact the undersigned should she believe that this would expedite prosecution of this application. It is believed that no fee is required. The Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 13-2165.

Respectfully submitted,



Diane Dunn McKay  
Reg. No. 34,586  
Attorney for Applicants

DATE: June 10, 2002

MATHEWS, COLLINS, SHEPHERD & McKAY, P.A.  
100 Thanet Circle, Suite 306  
Princeton, New Jersey 08540-3662  
Telephone: (609) 924-8555  
Telecopier: (609) 924-3036

### Claims Marked to Show Changes

1. (Amended) A safety handlebar comprising:  
a frame having opposing, tubular outer ends;  
a shaft having first and second shaft ends, the first shaft end being slidably connected with one of the tubular outer ends;  
a bias member operatively associated with the shaft and the frame so as to bias the second shaft end away from the one tubular end of the frame; and  
a dampener operatively associated with the shaft and the frame so as to dampen displacement of the second end of the shaft away from the frame,  
wherein upon impact force with said frame, said bias member compresses and after the impact force is released said dampener slows the return speed of said bias member towards its pre-impact position.

16. (Amended) A child-safe handlebar comprising:  
a generally tubular frame having a tubular outer end;  
a shaft having opposing first and second ends, the first shaft end being slidably telescoped with the frame outer end; and  
a fluid dampener operatively associated with the frame and the shaft at the outer end to slow movement of the shaft out of the outer end,  
wherein upon impact force with said frame, said bias member compresses and after the impact force is released said dampener slows the return speed of said bias member towards its pre-impact position.

19. (Amended) The handlebar of claim [17] 16 wherein the dampener comprises:  
an air flow damper operatively connected to the first shaft end such that the air flow damper is in a first, non-fluid flow obstructing orientation when the second end of the shaft is displaced toward the frame, and the air flow damper is in a second, fluid flow obstructing position when the biasing member displaces the second end of the shaft away from the frame to slow displacement of the second end of the shaft away from the frame.

20. (Amended) The handlebar of claim [17] 16 further comprising:  
a biasing member coupled between the shaft and the frame so as to absorb energy as the shaft slides into the outer end of the frame.